

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ANDREW WILLIAMS,

Plaintiff,

-against-

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/19/2022

19 CIVIL 11545 (PMH)

**JUDGMENT**

E. NOVOA, ORC, et al.,

Defendants.  
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated January 18, 2022, (1) the Served Defendants' motion to dismiss all claims against them under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) is GRANTED; (2) all federal claims against the Unserved Defendants are dismissed under 28 U.S.C. §§ 1915(e)(2)(B)(ii), (iii); and (3) any state law claims against the Unserved Defendants are dismissed without prejudice to refiling in the proper forum. Although "[d]istrict courts should frequently provide leave to amend before dismissing a pro se complaint," it is "not necessary when it would be futile." *Reed v. Friedman Mgmt. Corp.*, 541 F. Appx 40, 41 (2d Cir. 2013) (citing *Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000)); see also *Riddick v. Christine*, No. 21-CV-04277, 2021 WL 4122893, at \*3 (E.D.N.Y. Sept. 8, 2021) ("[G]iven that the deficiency...is substantive...leave to amend would be futile."). Here, all claims against the Served Defendants and any federal claims against the Unserved Defendants are dismissed with prejudice because any amendment would be futile; accordingly, the case is closed.

**Dated:** New York, New York

January 19, 2022

**RUBY J. KRAJICK**

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Clerk of Court

BY:

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*Kmango*  
Deputy Clerk